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C O N F I D E N T I A L SECTION 01 OF 03 MAPUTO 001152

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SUBJECT: AT DEMOCRATIC CROSSROADS, MOZAMBIQUE CHOOSES WRONG
PATH

REF: A. MAPUTO 1007
1B. MAPUTO 1066
1C. MAPUTO 1012
1D. MAPUTO 1033
1E. MAPUTO 1009
1F. MAPUTO 1026
1G. MAPUTO 1089
1H. MAPUTO 1076
1I. MAPUTO 1144
1J. MAPUTO 1137

Classified By: Charge d'Affaires Todd C. Chapman, Reasons 1.4(b+d)

11. (C) SUMMARY: President Guebuza's ruling FRELIMO party is widely expected to emerge victorious following the October 28 general elections, not only benefiting from superior funding and organization, but also the politically-motivated shenanigans taken by the Electoral Commission to exclude scores of opposition party candidates from the provincial, national assembly and even presidential elections. A convincing victory for FRELIMO will inevitably lead to the party's increased consolidation of power in Mozambique. FRELIMO's control of all branches of the executive, judiciary, and legislature is likely to undercut opposition influence within the national government, and may discourage the voting public from engaging in the democratic process. Furthermore, the GRM's negative and often defensive response to criticism from the international community regarding election transparency, combined with the potential for donor nations to reduce funds, could increase tensions in the relations between the GRM and the diplomatic community. In this election, Mozambique had the opportunity to take an important step forward in its democratic development, yet all signs point to a country more likely to slip further away from a multi-party democracy. Guebuza and company, in this time of pre-election stress, have certainly shown their true colors, and they are not a democratic hue. END SUMMARY.

FRELIMO VICTORY EXPECTED...

12. (C) President Guebuza's ruling FRELIMO is widely expected to emerge victorious following the October 28 general elections, in which the Mozambican people will vote for representation at the provincial, parliamentary, and presidential level. A victory for FRELIMO, and the re-election of Guebuza as president, will result in the continuation of FRELIMO's consolidation of power at all levels throughout Mozambique, making it more difficult for legitimate opposition challengers to emerge. If FRELIMO secures a two-thirds majority in the National Assembly (AR), many expect the party to modify the Constitution to permit

Guebuza to seek a third term, silencing legitimate dissent and further sidelining opposition parties.

...AT THE COST OF DEMOCRATIC PROGRESS

¶13. (C) FRELIMO stacked the electoral deck in its favor long before election day, guaranteeing its dominance over the long-time opposition RENAMO, led by Afonso Dhlakama, and the Democratic Movement of Mozambique (MDM), this year's newcomer, led by Daviz Simango. FRELIMO made liberal use of government resources to further its campaign. It also carefully stacked ostensibly neutral government organs, such as the National Electoral Commission (CNE) and Constitutional Council (CC), in its favor. Those organizations last month disqualified large numbers of opposition candidates under suspicious circumstances (REF A, B), despite strong statements of concern from the diplomatic community, opposition parties, and civil society (REF C, D). These skillfully planned moves by FRELIMO to secure victory by debilitating MDM and co-opting the traditional but fading opposition RENAMO leader Dhlakama have led many to conclude that the vote on election day has been rendered irrelevant.

¶14. (C) Many civil society members since early September have expressed their grave concerns regarding the pre-election environment, and what it means for the future of Mozambican democracy, both publicly and to the diplomatic community. (REF E, F, G, H, I) Senior civil society and academics described the CNE's decision to disqualify many candidates from the parliamentary elections as bad for democracy, and

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stressed that the decision*and its subsequent validation by the Constitutional Council*could call into question the legitimacy of elected officials. The Charge and European Ambassadors have repeatedly made clear to GRM officials that the lack of a transparent electoral process will damage Mozambique's democratic reputation within the international community.

OPPOSITION INFLUENCE STUNTED

¶15. (C) FRELIMO already dominates the National Assembly (AR), and a two-thirds 'super-majority' will further hinder the opposition's ability to pass legislation, or to counter FRELIMO-proposed legislation. Increased FRELIMO dominance in the AR will lead to the stunted influence of opposition parties, which was already low but looked poised to grow with the rise of the MDM at the national level. The MDM is competing in its first election, and its potential influence is greatly limited by the CNE decision precluding its participation in parliamentary elections in 9 of Mozambique's 13 provinces. (REF A) It will be difficult for the MDM to demonstrate its role as a legitimate player in national politics*one that can enact or modify legislation which improves people's lives*with such a reduced presence in the AR. RENAMO also probably will lose seats in the AR, further limiting opposition participation in the country's democratic process.

VIRTUAL ONE-PARTY STATE, POPULATION DISAFFECTED

¶16. (C) Beyond the control of the AR, FRELIMO is likely to continue its influence over the executive and judiciary branches of the government, pushing Mozambique closer and closer to becoming a one-party state. Simango last month stated that the political situation was one in which the rights of the people were minimally represented in favor of providing maximum authority to the powerful government elite (REF H). Guebuza is likely to continue to surround himself

with FRELIMO loyalists and may be emboldened to further stack the judiciary with FRELIMO supporters, or more appropriately, Guebuza loyalists. The CC's unanimous decision to uphold the CNE disqualification (REF B), ignoring a cogent legal brief submitted by the Electoral Observatory (OE) detailing the many errors in the CNE's decision, shows the court may already be controlled by FRELIMO hardliners, a trend that is likely to continue.

17. (C) If the Mozambican population judges the electoral outcome is pre-ordained, as many now believe, future voter turnout will suffer. One Mozambican youth organization in mid-September expressed their discontent with the political environment in Mozambique, questioning why elections should be held in the first place if the outcome was already decided. (REF F) Others note that if Daviz Simango, with the advantages of being from a well-known family and mayor of the country's second city, is unable to successfully challenge FRELIMO without getting squashed, then there is really no one in Mozambique who can rupture the walls of Fortress FRELIMO. While some in Mozambique's still weak civil society have been energized to rhetorical action through the media, there appears to be no group with the strength and will necessary to press Guebuza or FRELIMO to enact the reforms necessary for vibrant democracy to emerge in Mozambique. But just below the surface, the widespread discontent of the under- and unemployed urban masses, the same which sparked riots February 5, 2008 causing multiple deaths, continues to fester and remains a significant threat to the FRELIMO regime.

POTENTIAL TO JEOPARDIZE INTERNATIONAL RELATIONS

18. (C) The diplomatic community has made very clear to the GRM that the international response to a FRELIMO victory will depend on the integrity of the process. (REF A) International donors*who supply more than 50% of the GRM's budget*stated publicly that damage to Mozambique's reputation by flawed elections may result in decreased assistance. The Swiss Ambassador, in fact, said that if democracy concerns were not addressed, it would be difficult for Bern to approve budget assistance for the coming year. (REF D) FRELIMO senior

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leaders, as expressed most recently to donors by influential Minister of Planning and Development Aiuba Cuereneia, believe that the international community's view of Mozambique will quickly be restored following the election and that donors will continue to provide similar levels of development. In their internal deliberations, however, it is believed that FRELIMO has made the calculation that the temporary perturbations in its normally positive relations with major donor nations is worth the trouble in order to be rock-solid sure through the manipulation of the elections to maintain complete control of Mozambique's centers of power, as well as the business interests which follow. If so, FRELIMO has placed its interests--to not only maintain power but to increase it--above the interests of the Mozambican population, an unfortunate but necessary conclusion.

19. (C) FRELIMO is already expressing discontent over the international pressure for election transparency. Foreign Minister Oldemiro Baloi in mid-October met with Charge (REF J) and criticized the donor community's calls for flexibility, insisting the GRM is already following the electoral law. Baloi repeated this same message in his meeting with EU Ambassadors later in that same week. The international community probably will continue to encounter a defensive posture from GRM officials following the elections, who like the CNE President, the Foreign Minister and President Guebuza, will continue to appeal to "the rule of law" and acknowledge that the election law, admittedly weak, should be reformed and institutions strengthened. And as done following the flawed 2004 national elections, the GRM is likely to invite the donor community to (pay for and) partner

with them in the drafting of a new electoral law and the strengthening of the CNE and STAE, the government ministry which conducts the actual elections.

COMMENT: GRM REACHED A CROSSROADS AND CHOSE ITS PATH

¶10. (C) Mozambique had an opportunity in this election to take a step towards expanded multi-party democracy, but instead the GRM has chosen to pursue a policy of exclusion and increased ruling party dominance. It is apparent Guebuza and FRELIMO hardliners, stung and somewhat surprised by the strong diplomatic reaction, feel fully confident that they can restore the country's reputation following the election, even though some FRELIMO factions not aligned with Guebuza express private concern about lasting damage to FRELIMO both domestically and internationally. While election day may still yield some surprises, attention turns to how FRELIMO intends to handle the post-election environment, the surviving opposition, disillusioned youthful MDM supporters, and a somewhat feistier diplomatic community. But it is in times of pressure and stress, when the stakes are high, that one's true colors are revealed--Guebuza and company have certainly shown theirs in the preparations for this election, and they are not a democratic hue.

CHAPMAN